THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.22166 of 2002

15.6.2007

Between:
Modepalli Chellayamma, W/o.late Srirama Murthy

… Petitioner

AND

The District Collector and Agent to the Government,
East Godavari District, Kakinada And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.22166 of 2002

ORDER:

The petitioner allegedly belongs to Kondakapu, which is a Scheduled Tribe. She alleges that at the time of her marriage, her paternal uncle gave pasupu-kunkuma manyam in respect of land admeasuring Acs.2.75 in survey No.83 situated at Molleru village of Gangavaram Mandal in East Godavari District. On a complaint given by the Special Deputy Tahsildar (Tribal Welfare), third respondent herein initiated LTRP No.84 of 1996 and the petitioner was directed to be evicted. The petitioner then preferred appeal being C.M.A.No.59 of 1999 before the Agent to the Government – first respondent herein. By order dated –nil- (presumably 28.1.2001), first respondent dismissed the appeal. Aggrieved by the same, present writ petition is filed raising various grounds.

After hearing learned Counsel for the petitioner and learned Government Pleader for Social Welfare, we are of considered opinion that the petitioner should first avail effective alternative remedy under Section 6 of Andhra Pradesh Scheduled Areas Land Transfer Regulation 1959, as amended by Regulation I of 1970, by filing a revision petition before the Government of Andhra Pradesh. On this ground alone, we are not inclined to accept the writ petition. The writ petition is accordingly disposed of, giving liberty to the petitioner to prefer revision within a period of two weeks from the date of receipt of a copy of this order. As and when such revision is preferred, the Government may take it on file and dispose of the same within a period of three months thereafter.

The writ petition, with the above observations and directions, is

accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

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(**G.V.SEETHAPATHY,J**)

June 15, 2007.

NOTE:

Dispatch order copy by 18.6.2007.

(By order)

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